

INFORMATION PAPER

DAJA-LA
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SUBJECT: Guardian ad Litem Services when Overseas

1. Purpose. Provide an overview of Guardian ad Litem services available when child abuse is suspected in OCONUS locations.
2. Guardian Ad Litem (GAL) are typically appointed stateside when child abuse is suspected. In non-emergency situations, the Family Advocacy Program (FAP) would facilitate the appointment by the local civilian court. When stationed OCONUS the local foreign court can be petitioned for the appointment of a GAL, but must work through local legal processes using the services of a properly licensed attorney.
3. Child Removal Order (CRO) may be issued by Installation Commanders in overseas installations only. These Commanders are authorized to take reasonable actions in this regard, where civilian assistance for victims is not readily available. CROs are typically utilized in emergency situations where neither judicial authorization nor parental consent can be obtained, and removal from the home is necessary to avoid risk of imminent death, serious bodily harm, or serious mental or physical abuse (See AR 608-18 para. 3-21).
4. Emergency Placement Care (EPC) is a voluntary or court mandated service providing 24-hour care in an eligible home for children who cannot be cared for by their natural family or legal guardian. The Family Advocacy Program case manager would determine whether EPC housing is available at or near their installation (See AR 608-18 para. 9-1).
5. Case Transfer to CONUS installation. Returning the family stateside and transferring the child abuse cases may be the best option in certain OCONUS cases so that the child has access to family support and local Child Protective Services (CPS). A case transfer conference should be conducted between the family, case manager, and other interested parties to discuss the plan for continued treatment services. In no circumstance will an abused child be retained in an overseas command after both parents have departed, unless the child is required to be retained by court order (See AR 608-18 para. 7-3). In a child sexual abuse case, where an SVC is appointed, the child's SVC is available to assist with interactions with civilian legal authorities.

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